

**AFFIDAVIT**  
**OF TERRY M. ROBINSON**

BEFORE ME, the undersigned authority, on this day personally appeared Terry M. Robinson, the Affiant, who swore on oath that the following facts are within his personal knowledge and are true and correct:

"1. My name is Terry (Bo) M. Robinson, I am over 18 years of age, of sound mind, and capable of making this Affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.

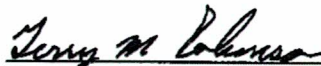
"2. My wife, Rebecca (Becky) Robinson, and I are the general partners of 2B Farms, a Texas General Partnership ("2B Farms"). 2B Farms owned approximately 251 head of cattle, which it had purchased in local auctions in and around Snyder, Texas, from third-parties between November, 2022 and January, 2023. The parties that sold 2B Farms these cattle were unrelated to Bryan McClain or any of his entities, including McClain Farms, Inc., McClain Feed Yard, Inc., and/or 7M Cattle Feeders, Inc. ("7M")(collectively, the "McClain Entities"). The approximate 251 head of cattle were placed on a pasture leased by 2B Farms near Snyder, Texas. Also, upon their purchase, all of these cattle were immediately branded with the "2B" brand.

"3. On or about March 15, 2023, 2B Farms delivered all 251 head of cattle to the McClain feed yard in Hereford, Texas. 2B Farms' cattle were delivered to McClain feed yard so they could be fed to the point that they were ready to sell to market. On or about early April, 2023, I came to understand that the McClain Entities were having financial difficulties and that unknown third-parties were removing cattle from the McClain feed yard. I became concerned at that time that some unknown party might remove 2B Farms' cattle from the feed yard without my knowledge and that 2B Farms would never recover them.

"4. On or about April 19, 2023, I went to the McClain feed yard and removed the 251 head of 2B Farms' branded cattle and an additional 338 head of cattle from the 7M feed yard in Friona, Texas, which cattle 2B Farms had purchased from McClain Farms, Inc. as part of a separate transaction, and for which I had invoice numbers identifying said purchases. Both sets of these cattle were placed in the care of Tommy Hefner of JT Cattle Company. On or about May 16, 2023, pursuant to an agreement with Kent D. Ries, the Chapter 7 Bankruptcy Trustee for the McClain Entities ("Trustee"), and my lender, First Bank & Trust ("FBT"), the 251 head and the 338 head of cattle were sold at auction. The proceeds of each of these separate cattle sale transactions brought \$326,872.58 and 398,588.37, respectively. Also pursuant to the agreement with the Trustee and

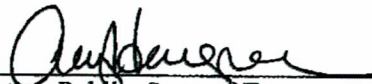
FBT, both sets of funds were placed in separate escrow accounts with FBT until such time as the Bankruptcy Court could consider and direct the ultimate disposition of the cattle proceeds pursuant to its Order.

"5. Specifically, with regard to the 251 head of 2B Farms' branded cattle that were being fed out at the McClain feed yard in early April, 2023, to my knowledge and belief, none of the McClain Entities had any ownership interest in these cattle. None of the McClain Entities bought or agreed to buy these 251 head of cattle, nor had any of them entered into a contract to acquire an ownership interest in these cattle. It is further my opinion that neither Brian McClain nor any of the McClain Entities had an interest in the cattle against which another lien claimant could assert its lien, including any lien claim of Rabo AgriFinance. At no time was FBT's lien released as against 2B Farms' 251 head of cattle or the \$326,872.58 proceeds of same."



Terry M. Robinson, General Partner of  
2B Farms, a Texas General Partnership, *Affiant*

SUBSCRIBED AND SWORN TO BEFORE ME by the said Terry M. Robinson, General Partner of 2B Farms, a Texas General Partnership, on this the 11 day of August, 2023.



Notary Public, State of Texas

